

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE JOINT APPLICATION OF CCI RSA, INC. AND)	
OCOM CORPORATION FOR (1) THE APPROVAL OF THE)	
TRANSFER BY CCI RSA, INC. TO OCOM CORPORATION)	
OF SIX COMMON CARRIER POINT-TO-POINT MICROWAVE)	
AUTHORIZATIONS AND RELATED FACILITIES; (2) FOR)	CASE NO.
A CERTIFICATE OF AUTHORITY FOR OCOM)	95-293
CORPORATION TO PROVIDE POINT-TO-POINT MICROWAVE)	
SERVICES IN THE COMMONWEALTH OF KENTUCKY; (3))	
ALTERNATIVELY, FOR A DECLARATION THAT NO SUCH)	
APPROVALS ARE REQUIRED; AND (4) FOR ALL)	
OTHER RELATED AUTHORITY AND APPROVALS OR)	
DECLARATIONS)	

O R D E R

On June 20, 1995, CCI RSA, Inc. ("CCI") and OCOM Corporation ("OCOM") filed an application with the Commission seeking all necessary approvals for the transfer by CCI to OCOM of six common carrier point-to-point microwave licenses and related facilities. OCOM will use the facilities to provide telecommunications services. Consequently, OCOM also seeks a Certificate of Public Convenience and Necessity ("CPCN") to provide intrastate, long-distance telecommunications services as a facilities-based carrier within the Commonwealth of Kentucky. OCOM currently holds a CPCN as a non-facilities-based reseller of Long Distance Services.¹

Commission approval of the transfer of the microwave facilities and licenses is not required. KRS 278.020(4) and (5)

¹ Case No. 92-166, The Application of Ocom Corporation for a Certificate of Public Convenience and Necessity to Operate as an Interexchange Telecommunications Reseller Within the Commonwealth of Kentucky.

require Commission approval prior to the transfer of ownership and control of any utility subject to the jurisdiction of the Commission. However, this case does not involve transfer of a jurisdictional utility. The licenses are in the jurisdiction of the Federal Communications Commission, while the microwave facilities have previously been engaged in providing interstate telecommunications traffic only. Since the towers to be transferred have been utilized solely for interstate traffic, they and their operation, have not been subject to the jurisdiction of the Kentucky Public Service Commission. However, any new tower construction by OCOM shall require a CPCN.

The information provided by OCOM demonstrates its financial, managerial, and technical capability to provide facilities-based intrastate, long-distance telecommunications service. OCOM shall submit its proposed rates within 30 days of this Order so that the Commission may determine whether they are fair, just and reasonable.

In Administrative Case No. 306,² the Commission stated the importance of eliminating possible customer confusion arising from the name of the billing service, rather than the name of the provider of telecommunications services, appearing on the bill. Accordingly, OCOM should ensure that its name appears prominently on all bills issued to customers for services rendered by it.

The Commission, having considered the application, the information provided by OCOM, and being otherwise sufficiently advised, HEREBY ORDERS that:

² Administrative Case No. 306, Detariffing Billing and Collection Services, Order dated April 30, 1990.

1. OCOM be and it hereby is granted a CPCN to operate as a facilities-based carrier within the Commonwealth of Kentucky on and after the date of this Order.

2. OCOM shall comply with the provisions of the Orders in Administrative Case No. 323.³

3. OCOM shall ensure that its name appears prominently on all bills issued to customers for services rendered by it.

4. OCOM's authority to provide service in this Commonwealth is strictly limited to those services described in this Order and in OCOM's application.

5. Within 30 days from the date of this Order, OCOM shall file its tariff sheets in accordance with 807 KAR 5:011 for the new services resulting from the granting of the CPCN herein.

Done at Frankfort, Kentucky, this 31st day of August, 1995.

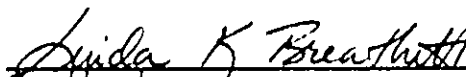
PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

ATTEST:


Executive Director


Commissioner

³ Administrative Case No. 323, An Inquiry Into IntraLATA Toll Competition, An Appropriate Compensation Scheme for Completion of IntraLATA Calls by Interexchange Carriers, and WATS Jurisdictionality.